

INSPECTIONS AND APPEALS DEPARTMENT[481]

Notice of Intended Action

Proposing rule making related to card game tournaments and providing an opportunity for public comment

The Inspections and Appeals Department hereby proposes to rescind Chapter 106, “Card Game Tournaments by Veterans Organizations,” Iowa Administrative Code, and to adopt a new Chapter 106 with the same title.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 99B.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 99B.2.

Purpose and Summary

The proposed amendment implements changes made to Iowa Code chapter 99B resulting from 2015 Iowa Acts, Senate File 482. The legislation modernized Iowa Code chapter 99B by streamlining processes and eliminating unnecessary licenses. Iowa Code section 99B.27 addresses much of what was formerly found in 481—Chapter 106; accordingly, the proposed amendment eliminates duplicative material. Cross references in this rule making to rules in 481—Chapter 100 refer to the proposed rules published in **ARC 3919C** (IAB 8/1/18).

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 21, 2018. Comments should be directed to:

David Werning
Iowa Department of Inspections and Appeals
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319-0083
Email: david.werning@dia.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Rescind 481—Chapter 106 and adopt the following new chapter in lieu thereof:

CHAPTER 106

CARD GAME TOURNAMENTS BY VETERANS ORGANIZATIONS

481—106.1(99B) Definitions. In addition to definitions found in Iowa Code chapter 99B, for the purposes of this chapter, the following definitions apply:

“*Card game tournament*” or “*tournament*” means a series of card games held by a licensee during a consecutive period of time of not more than 24 hours and not held as part of an annual game night licensed pursuant to Iowa Code section 99B.26.

“*Department*” means the department of inspections and appeals.

“*Educational, civic, public, charitable, patriotic, or religious uses*” means the same as defined in Iowa Code section 99B.1(14).

“*Licensee*” means a qualified organization representing veterans that has been issued a license pursuant to Iowa Code section 99B.12 and the rules in 481—Chapter 100 and this chapter.

481—106.2(99B) Licensing. Before any card game tournament may occur, a license application must be approved by the department. Application and license requirements are found in rules 481—100.3(99B), 481—100.4(99B), and 481—100.5(99B). A qualified organization intending to conduct veterans card game tournaments must complete the section of the license application for veterans card game tournaments.

481—106.3(99B) Card game tournament. In addition to the requirements found in Iowa Code section 99B.27, licensees conducting tournaments shall comply with all of the following:

106.3(1) Licensee to conduct tournament. The licensee shall conduct each tournament and shall not contract with or permit another person to conduct the tournament or any card game during the tournament.

106.3(2) Tournament rules. Tournament rules shall be posted or distributed to all participants before the tournament begins. Rules shall include the following:

- a. Card games and the rules of each card game;
- b. Participation fees;
- c. Prize(s) for each card game and tournament;
- d. How winners will be determined; and
- e. Any other tournament rules.

481—106.4(99B) Records. The licensee shall comply with the record-keeping requirements found in Iowa Code sections 99B.16 and 99B.27(3) and 481—Chapter 100. The licensee shall keep a journal of

all dates of events, amount of gross receipts, amount given out as prizes, expenses, amount collected for taxes, and amount collected as revenue.

These rules are intended to implement Iowa Code sections 99B.2 and 99B.27.